

REMARKS

Reconsideration of this application is respectfully requested.

Claims 1-12 are pending in the application, with Claims 1 and 9 being the independent claims.

The Examiner rejected Claims 1-12 under 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2004/0057446 to *Varsa et al.* (hereinafter, *Varsa*) in view of U.S. Publication No. 2002/0141740 to *Matsui*.

Regarding the §103(a) rejection of Claims 1-12, the Examiner contends that each element of Claim 1 is taught or suggested by *Varsa*, with the exception of a synchronizing section for synchronizing and outputting the video data output from the video data output section and the audio data output from the audio data processing section according to a synchronizing signal of the media delay output controller. The Examiner cites *Matsui* in an attempt to remedy this deficiency.

Claim 1 recites, in part, a multimedia reproduction apparatus using output buffering in a mobile communication terminal. The apparatus comprises a data parsing section, a video data processing section, a media delay output controller, an audio data processing section, a video data output section, and a synchronizing section.

Varsa discloses the enablement of a streaming server to optimally operate its rate-control and rate-shaping algorithms in order to compensate for packet transfer delay variation by monitoring and controlling the distribution of the end-to-end delay for a given packet. *Matsui* discloses a data reproduction process in which anti-transmission-error property and video quality of video data to be obtained at a receiving end can be changed according to the user's preference or the occurrence status of transmission error, at the receiving end of the video data.

While *Varsa* describes the extraction of media data from a buffer, it fails to disclose the division of multimedia data into video data and other data, as recited in Claim 1. In the Final Office Action, the Examiner contends that *Varsa* discloses a media decoder that encodes audio and video data from streaming data and stores it in a post decoder buffer until its scheduled play-out time arrives. However, the multimedia data, which may be video or audio data, is treated as one by the decoder, and *Varsa* fails to disclose that data is divided into video data and other data, which may include audio data.

Further, while *Varsa* describes a buffer for decoded media data, it fails to disclose a controller for delaying the other data according to buffering information of a video data processing section, for outputting the delayed data, and for generating a synchronizing signal, as recited in Claim 1. In the Final Office Action, the Examiner contends that *Varsa* discloses a method for delaying decoded media data. However, *Varsa* fails to provide any disclosure relating to the delaying of the other data that was divided from the video data.

While *Varsa* describes that the media data that is extracted from the buffer may include video and audio data, it fails to disclose that audio data is decoded and output from among the other data, which was divided from the video data, as recited in Claim 1. *Matsui* fails to remedy these deficiencies of *Varsa*.

Although *Matsui* describes a synchronization markup language that plays a role in initializing video streams based on received real-time transport protocol data, it fails to disclose the synchronization and output of video data and audio data according to a synchronizing signal, as recited in Claim 1. In the Final Office Action, the Examiner contends that *Matsui* discloses a method of using synchronizing signals to reproduce video and audio data from the streaming data with SMIL unit. However, *Matsui* fails to disclose the synchronization of the video data and audio data, which is performed according to a signal from a media delay output controller. Thus, *Matsui* fails to remedy the deficiencies of *Varsa*, and Claim 1 is patentable over the combination of *Varsa* and *Matsui*.

The Examiner also rejected independent Claim 9 under 35 U.S.C. §103(a). Claim 9 contains similar recitations as those set forth in Claim 1. Thus, in view of the above, Claim 9 is also patentable over the combination of *Varsa* and *Matsui*.

Regarding Claims 2-8 and 10-12, while not conceding the patentability of these dependent claims, *per se*, Claims 2-8 and 10-12 are also allowable for at least the above reasons. Accordingly, Applicants assert that Claims 1-12 are allowable over the combination of *Varsa* and *Matsui*, and the rejection under 35 U.S.C. §103(a) should be withdrawn.

Accordingly, the claims pending in the Application, namely, Claims 1-12 are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

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Respectfully submitted,



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